IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 11087 of 2007(T)

PETITIONER:

NALAKATH MUHAMMED ,
CHOKKAD AMSOM, SRAMBIKALLU, P.O.PULLANGODE,
NILAMBUR TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.SUNIL KUMAR A.G

RESPONDENTS:

1. SHAMSUDHEEN P., S/O.MAMMU,
PARAMBENGAL HOUSE, ATHANIKKAL, VELLUVAMBRAM P.O.,
MALAPPURAM DISTRICT. (DRIVER OF KL 5E 6813).

2. THAYYIL MUHAMMED NOUSHAD, S/O.SAINUDHEEN
ATHAVANAD, THIRUNAVAYA P.O., MALAPPURAM DISTRICT
(R C OWNER).

3. NATIONAL INSURANCE CO.LTD.,
MAVOOR ROAD, CALICUT P.O., (INSURER),
BRANCH CODE NO.571300-COVER NOTE NO.3100/397,
BOOK NO.57/02/07/00056.

4. PARAMBATH NABEESA,
W/O.NALAKATH MUHAMMED, CHOKKAD AMSOM,
SRAMBIKALLU, P.O.PULLANGODE,
NILAMBUR TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.E.M.JOSEPH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.11087 of 2007

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Dated this the 26th day of July, 2007

J U D G M E N T

The petitioner is one of the claimants who have been awarded compensation in a motor accidents claim by the Motor Accidents Claims Tribunal, Manjeri. An amount of Rs.3,02,500/- is deposited with a bank as directed by the Tribunal, which is due in equal shares to the petitioner, his mother and his wife. The petitioner filed an application to release of his share of amounts in deposit in view of his pressing need to pay off debts incurred by him in connection with his daughter's marriage. However, the Tribunal, by order dated 3.1.2007, directed disbursal of only Rs.40,000/-. The petitioner would submit that he would require much more than that amount to pay off the debts as also to repair his dilapidated house.

Taking into account the facts and circumstances of the case, I direct the Tribunal to disburse the petitioner's share of amount in deposit to him. The order of the Tribunal is modified as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.